

**United States Court of Appeals
For the First Circuit**

No. 22-1339

NUVASIVE, INC.,

Plaintiff, Appellee,

V.

TIMOTHY DAY,

Defendant, Appellant.

JUDGMENT

Entered: August 9, 2023

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged, and decreed as follows: The district court's award of damages in favor of NuVasive, Inc. and the sanctions-based award of attorney's fees and costs are affirmed.

By the Court:

Maria R. Hamilton, Clerk

cc: Holly Marie Polglase, Michael Scott Batson, Christopher W. Cardwell, Marshall Thomas McFarland, Mary Taylor Gallagher, Michael C. Kinton, Steven Dale Weatherhead, Bryan E. Busch